

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

_____	)	
NATASHA ATHENS d/b/a Favorite Things,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:21-cv-00748-SM
	)	
BANK OF AMERICA and MEGAN SCHOLZ,	)	
	)	
Defendants.	)	
_____	)	

**DEFENDANTS BANK OF AMERICA, N.A. AND MEGAN SCHOLZ’S  
MOTION TO DISMISS**

NOW COME defendants Bank of America, N.A.<sup>1</sup> and Megan Scholz (“Defendants”), by and through their attorneys, Primmer Piper Eggleston & Cramer PC, and, pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), hereby respectfully request that this Court dismiss the September 3, 2021 Complaint of Plaintiff Natasha Athens d/b/a Favorite Things (“Plaintiff”) as against Defendants for failure to state a cognizable claim for relief and for failure to allege fraud with particularity. Support for this motion is more fully set forth in Defendants’ accompanying memorandum of law, filed contemporaneously herewith in accordance with Local Rule 7.1(a)(2). Given the dispositive nature of the relief sought herein, no concurrence from the opposing party is necessary. L.R. 7.1(c).

<sup>1</sup> Incorrectly named in Plaintiff’s Complaint as “Bank of America.”

Respectfully submitted,

BANK OF AMERICA, N.A. and MEGAN SCHOLZ

By their attorneys,

PRIMMER PIPER EGGLESTON & CRAMER PC

Dated: November 9, 2021 By: /s/ Thomas J. Pappas  
Thomas J. Pappas, Esq., N.H. Bar No. 4111  
P.O. Box 3600  
Manchester, NH 03105-3600  
(603) 626-3300  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing DEFENDANTS BANK OF AMERICA, N.A.  
AND MEGAN SCHOLZ'S MOTION TO DISMISS has this day been forwarded via the Court's  
Electronic Case Filing System to:

Natasha Athens  
Natasha4NHGov@protonmail.com

Dated: November 9, 2021 By: /s/ Thomas J. Pappas  
Thomas J. Pappas, Esq., (N.H. Bar No. 4111)